

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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RAYMOND JAMES & ASSOCIATES, INC.,

Plaintiff/Counter-Defendant,

v.

CASE NO. 2:18-cv-02104-JTF-tmp

50 NORTH FRONT ST. TN, LLC,

Defendant/Counter-Plaintiff.

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**UNOPPOSED MOTION AND MEMORANDUM OF PLAINTIFF/COUNTER-  
DEFENDANT, RAYMOND JAMES & ASSOCIATES, INC.,  
FOR AN EXTENSION OF TIME TO FILE ITS RESPONSES TO THE DEFENDANT'S  
OBJECTIONS TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND THE DEFENDANT'S MOTION TO DISMISS/MOTION TO STRIKE**

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COMES NOW the Plaintiff/Counter-Defendant, Raymond James & Associates, Inc. ("Raymond James"), by and through its attorneys, and moves this Court for an extension of time to and including April 11, 2022, to file its responses to: a) Defendant's Objections to the Report and Recommendation of the Magistrate Judge's Order Granting in Part Motions for Sanctions and Report and Recommendation, (ECF 397) ("Objection to Sanctions"); and b) Defendant's Motion to Dismiss, or in the Alternative, Motion to Strike Allegations and Attached Exhibits from the Second Amended Complaint (ECF 396) ("Motion to Dismiss").

Defendant/Counter-Plaintiff, 50 North Front St. TN, LLC. ("50 North") does not oppose this Motion.

Rule 6(b) of the Federal Rules of Civil Procedure provides that the Court may extend the time to respond upon request by a party if the request is made before the original time for the response expires and for good cause.

## **PROCEDURAL CONTEXT**

On February 8, 2022, the Magistrate Judge filed a Report and Recommendation (ECF 392) that recommended that Raymond James' Motion to Compel and for Discovery Sanctions (ECF 189) be granted.

On February 17, 2022, 50 North moved for additional time to file its responses to both the Magistrate's Sanctions Recommendation and to the newly filed Second Amended Complaint. (ECF 394). As the Motion itself noted, Raymond did not oppose 50 North's request for this 13 day extension.

On March 7, 2022, 50 North filed its Objections to Sanctions (ECF 397) and, instead of answering the SAC, instead filed its Motion to Dismiss (ECF 396). The applicable deadlines for Raymond James to respond to these pleadings falls on March 21<sup>st</sup> and April 4<sup>th</sup>, respectively.

Counsel for Raymond James will be in a FINRA arbitration starting the week of March 21<sup>st</sup> that could go as long as April 1<sup>st</sup>. This, coupled with the time needed to respond to 50 North's extensive pleadings, necessitates Raymond James' request for additional time to file its responses. Counsel for Raymond James and 50 North have discussed this issue, and 50 North has no objection to the extension of these two deadlines up to and including April 11, 2022.

Respectfully submitted,

**THE PROSSER LAW FIRM**

/s/ Kyle Johnson

Niel Prosser (BPR No. 11647)

Rob Clapper (BPR No. 34180)

Kyle Johnson (BPR No. 36066)

5865 Ridgeway Center Parkway, Suite 300

Memphis, TN 38120

T: (901) 820-4433

E: np@prosserlaw.com

rclapper@prosserlaw.com

kjohnson@prosserlaw.com

*Counsel for Raymond James*

- and -

**BAKER, DONELSON, BEARMAN, CALDWELL &  
BERKOWITZ, PC**

/s/ John Branson

John Branson (BPR No. 10913)  
Clinton Simpson (BPR No. 20284)  
165 Madison Avenue, Suite 2000  
Memphis, TN 38103  
T: (901) 577-2323  
E: jbranson@bakerdonelson.com  
csimpson@bakerdonelson.com

*Attorneys for Raymond James*

### **CERTIFICATE OF CONSULTATION**

Pursuant to Local Rule 7.2(a)(1)(B), Raymond James hereby certifies that it has consulted with 50 North's Counsel, Michael McLaren, regarding the Motion for Extension of Time to file its response to the Defendant's Objections to the Report and Recommendation of the Magistrate Judge and to respond to the Defendant's Motion to Dismiss / Motion to Strike. 50 North does not oppose the relief requested in this Motion.

/s/ Kyle Johnson

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon the below-listed counsel this 10<sup>th</sup> day of March, 2022, through the Court's ECF System, which will automatically send an electronic copy of the filing to all counsel of record in this case.

/s/ Kyle Johnson